

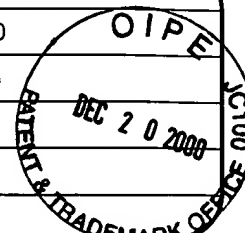
Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002; OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/656,084
		Filing Date	September 6, 2000
		First Named Inventor	Barry N. Kreiswirth
		Group Art Unit	1643
		Examiner Name	
Total Number of Pages in This Submission	11	Attorney Docket Number	19124.0002



ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Statement Claiming Small Entity Status <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appel Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice To File Missing Parts Of Nonprovisional Application, executed Combined Declaration and POA
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Edward J. Naidich, Registration No. 43,826 Swidler Berlin Shereff Friedman, LLP
Signature	
Date	December 20, 2000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL

Complete If Known

FEE TRANSMITTAL		Application Number		09/656,084
		Filing Date		September 06, 2000
		First Named Inventor		Barry N. Kreiswirth
		Group Art Unit		1643
		Examiner Name		
		TOTAL AMOUNT OF PAYMENT		(\$)
		Attorney Docket Number	19124.0002	

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fee and credit any over payments to:

☒ Deposit Account
 Number 19-5127 referencing 19124.0002
 Deposit Account Name Swidler Berlin Shereff Friedmann, LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)

2. Payment will be submitted with Decl & POA

☐ Check ☐ Money Order ☐ Deposit Account Authorization

FEE CALCULATION (fees effective 10/01/97)

1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	345	Utility filing fee	
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) \$0.00

2. CLAIMS

No. Filed No. Extra Fee Total
 Total Claims [33] - 20 = [13] X [] = []
 Independent Claims [3] - 3 = [] X [] = []
 Multiple Dependent Claims [] [] X [] = []

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	22	203	11	Claims in excess of 20
102	82	202	41	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	82	209	41	Reissue independent claims over original patent
110	22	210	11	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$0.00

FEE CALCULATION (continued)

ADDITIONAL FEES

Large Entity Fee Code (\$)

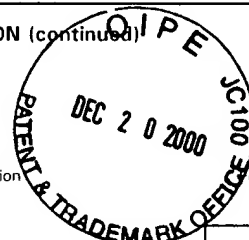
Small Entity Fee Code (\$)

Fee Description

Fee Paid

105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	239	65	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,790	113	1,790	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	950	217	475	Extension for response within third month	
118	1,510	218	755	Extension for response within the fourth month	
128	2,060	228	1,030	Extension for response within the fifth month	
129	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,320	241	660	Petition to revive unintentionally abandoned application	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	790	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
SUBTOTAL (3)					65

* Reduced by Basic Filing Fee Paid



FEE TRANSMITTAL

PAGE 2

Complete If Known

Application Number	09/656,084
Filing Date	September 6, 2000
First Named Inventor	Barry N. Kreiswirth
Group Art Unit	1643
Examiner Name	

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name	Edward J. Nadich	Registration Number	43,826
Signature	<i>Edward Nadich</i>	Date	12/24/2000
		Deposit Account User ID	19-5127

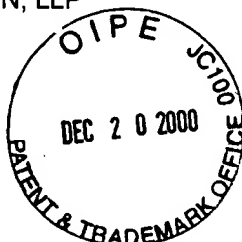


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/656,084	09/06/2000	Barry N. Kreiswirth	19124.0002

23517
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K STREET, NW
BOX IP
WASHINGTON, DC 20007



FORMALITIES LETTER



OC000000005492409

Date Mailed: 10/20/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Lirash Letta

Customer Service Center

Initial Patent Examination Division (703) 308-1202

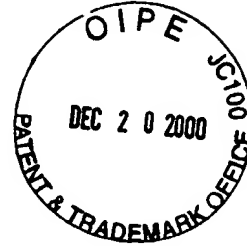
PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/21/2000 SDUONG 00000051 195127 09656084

01 FC:205 65.00 CH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
Barry Kreiswirth : Attorney Docket 19124.0002
Application No. 09/656,084 :
Filed: September 6, 2000 :
For: SYSTEM AND METHOD FOR
TRACKING AND CONTROLLING
INFECTIONS :



RESPONSE TO "NOTICE TO FILE MISSING PARTS"

Commissioner for Patents
Washington, D.C. 20231

Sir:

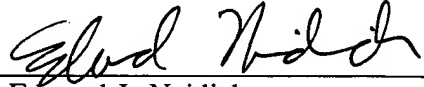
In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION** dated October 20, 2000, Applicant submits herewith the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts;
2. Executed Declaration and Power of Attorney;
3. Fee Transmittal;
4. Transmittal Form;

The Commissioner is hereby authorized to charge \$65.00 (surcharge – late declaration filing fee) or credit any overpayment to Deposit Account No. 19-5127 referencing 19124.0002.

Respectfully submitted,

Swidler Berlin Shereff Friedman, LLP



By: Edward J. Naidich
Registration No. 43,826

Dated: December 20, 2000

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500

PTO/SB/10 (1-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**Docket Number (Optional)
19124.0002Applicant, Patentee, or Identifier: Barry N. Kreiswirth et al.Application or Patent No.: 09/656,084Filed or Issued: September 6, 2000Title: SYSTEM AND METHOD FOR TRACKING AND CONTROLLING INFECTIONS

I hereby state that I am

- ☐ the owner of the small business concern identified below;
- ☐ an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF SMALL BUSINESS CONCERN eGenomics, Inc.ADDRESS OF SMALL BUSINESS CONCERN 59 Franklin Street, Fifth Floor, New York, New York 10013

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING

STEVEN NAIDICH

TITLE OF PERSON IF OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

59 FRANKLIN ST, #5R, NEW YORK NY 10013

SIGNATURE

[Signature]

DATE

12-19-00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#5

Attorney Docket 19124.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Barry N. Kreiswirth, et al.

Application No. 09/656,084

Filed: September 6, 2000

:
:
:
:
:
:

Group Art Unit: 1643



Titled: SYSTEM AND METHOD FOR TRACKING AND CONTROLLING
INFECTIONS

REQUEST FOR REFUND

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby requests a refund in the amount of **\$345.00**, to be credited to Deposit Account 19-5127 referencing Order No. 19124.0002, for one-half of the **filing fee** paid on September 6, 2000, and a refund in the amount of **\$117.00**, to be credited to Deposit Account 19-5127 referencing Order No. 19124.0002, for one-half of the **additional claims paid** September 6, 2000. An executed Statement Claiming Small Entity Status--Small Business Concern is attached hereto. A duplicate of this authorization is attached for the Finance Branch.

Respectfully submitted,

Date: 12/20/2000


Edward J. Naidich, Reg. No. 43,826
Attorney for Applicant

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, NW, Suite 300
Washington, D.C. 20007
Telephone: 202-424-7500